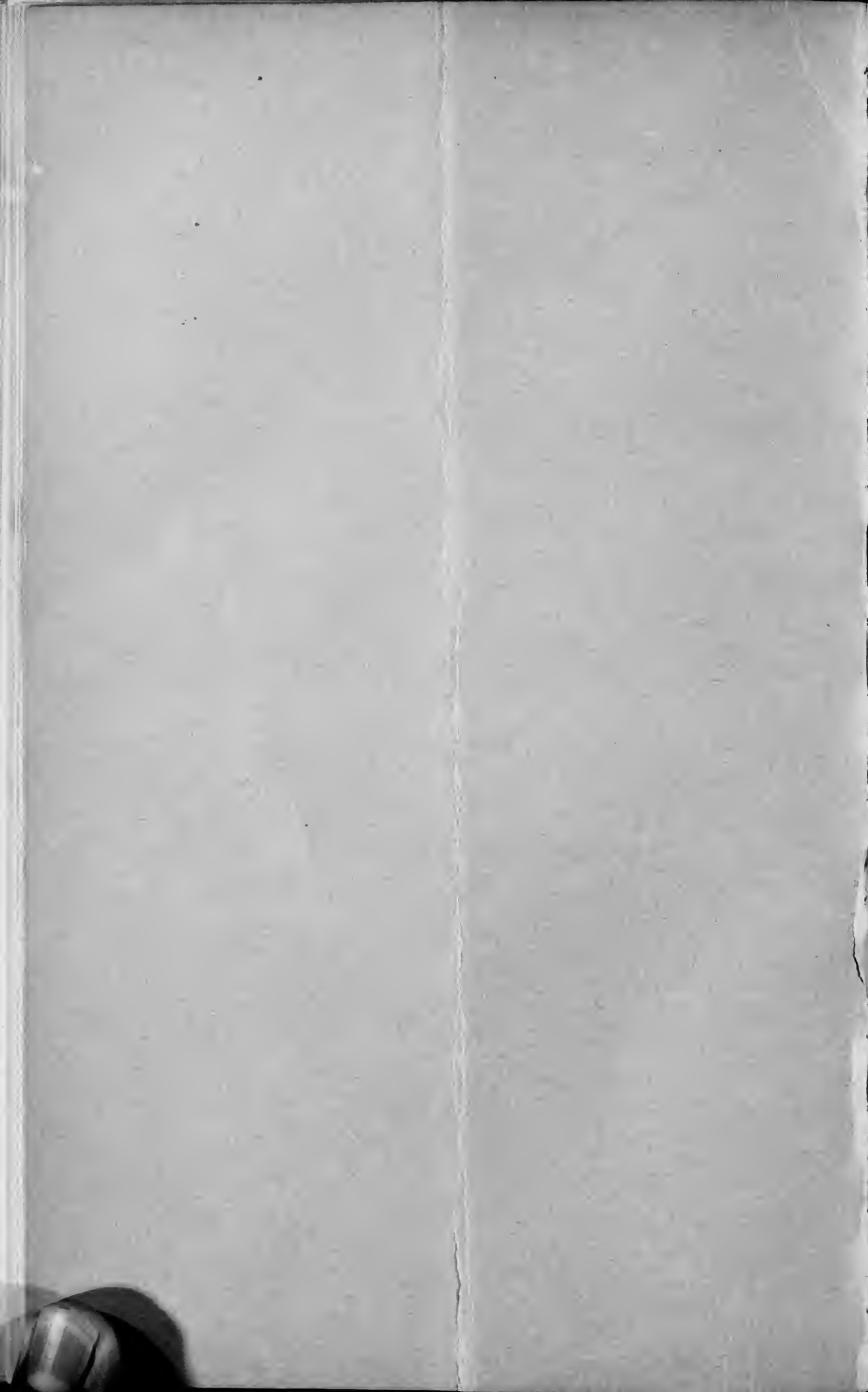


**ANNUAL REPORT OF THE
DEPARTMENT OF WEIGHTS
MEASURES AND MARKETS
OF THE DISTRICT OF COLUMBIA
FOR THE FISCAL YEAR ENDED JUNE 30, 1928**

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OF THE
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DISTRICT OF COLUMBIA

FOR THE
FISCAL YEAR ENDED
JUNE 30, 1928



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON
1928



LETTER OF TRANSMITTAL

SEPTEMBER 1, 1928.

TO THE COMMISSIONERS:

I respectfully submit the following report regarding the work of the Department of Weights, Measures, and Markets of the District of Columbia for the fiscal year ended June 30, 1928.

In this connection I desire to express appreciation to the Commissioners of the District of Columbia, to officials of the Bureau of the Budget, and to the Appropriation Committees and Members of Congress for their uniform courtesy and helpfulness with respect to my efforts toward obtaining increases of inspection force and other instrumentalities looking to improvement of the work of this department.

GEO. M. ROBERTS,
*Superintendent, Weights,
Measures, and Markets,
District of Columbia.*



ANNUAL REPORT DEPARTMENT OF WEIGHTS, MEASURES, AND MARKETS, DISTRICT OF COLUMBIA, FOR FISCAL YEAR ENDED JUNE 30, 1928

The Department of Weights, Measures, and Markets is engaged in two distinct municipal activities: (1) Administration and enforcement of the law relating to examination and standardization of weights and measures include provisions regarding trade practices and provisions regarding delivery of quantity represented of all commodities sold, (2) administration and supervision of markets owned and operated by the District of Columbia.

The duties of the department are set forth at length in the weights and measures act of 1921.

The two branches of the service will be discussed separately.

WEIGHTS AND MEASURES

During the fiscal year inspectors made 11,215 official visits to business establishments under legal supervision, and careful inspection was made of weighing and measuring instruments used in each. The establishments in question range from the smallest and most isolated places of business to the largest department stores and manufacturing plants. Among others, they include the following general classes of business: Bakeries, dairies and dealers in dairy products, groceries and similar foods, delicatessen and confectionery stores, wholesale and retail drugs, dry goods, fish and sea foods, flour and feed, fruits and vegetables, coal and other fuels, ice, meats, poultry, restaurants, hotels, hardware, electrical supplies, coffees and teas, building material, auto supplies, house furnishings, leather goods, paper and stationery, junk and waste material, cold-storage plants, transportation companies, gasoline and oils, packing houses, schools, hospitals, and many miscellaneous establishments. Inspections were also made for departments of the District government and for a large number of departments of the Federal Government. Weighing and measuring instruments used by all peddlers, hucksters, and other transient venders of every character were also examined and tested in accordance with law.

A large amount of attention was given to special or surprise inspections at various times throughout the year. There were made 2,374 such inspections.

The total number of examinations of equipment, including commercial scales, weights, capacity measures, mechanical fabric measures and calculating machines, gasoline and oil dispensing units, prescription scales and weights, jewelry scales and weights, linear measures, milk bottles, and other instruments was 1,910,269. Of this number, 1,897,864 were found correct and approved, 1,457 were adjusted before being approved, and 12,405 were condemned. In cases

where instruments could be repaired, owners are given permission to have that done, and they were thereafter reinspected. Those not susceptible of being repaired were confiscated and destroyed in accordance with law.

Many instruments are tested in the office laboratory. The number of such tests during the fiscal year was 2,119. This work engages a large part of the time of one inspector. The instruments in question are those brought to the office by persons having no established place of business and certain instruments requiring a more delicate test than can be made in the field.

Some branches of the inspection work show a considerable increase over the preceding year. The number of tests of gasoline and oil measuring pumps shows an increase of 2,750. The number of special inspections shows an increase of 210. Increases in inspection, however, do not give a correct indication of the actual increase of work performed. A larger amount of attention has been given to educational, regulatory, and investigational work than ever before.

All weighing and measuring instruments subject to inspection and test under the law are examined before being placed in use for the purpose of determining whether they are accurate, whether they comply with legal requirements as to construction and are suitable for the purpose for which they are intended to be used. The work of making examinations of new types of instruments for the purpose indicated is performed largely by the chief inspector, in addition to his other duties.

After being placed in use, instruments are, as nearly as is possible with the limited force, examined semiannually, as required by law. This work is systematically laid out. Records are kept of all instruments inspected, showing the type, address of the owner, date of inspection, and the action taken. Records are also kept of package goods reweighed, showing whether they contained the quantity represented. A card index of all establishments using weighing and measuring instruments and the inspection records of each are serially numbered and filed for ready reference.

SUMMARY OF EXAMINATIONS AND TESTS

The following statement indicates in condensed form the number of examinations and tests made of weighing and measuring equipment:

	Total number examined	Number found correct and approved	Number approved after ad- justment	Number con- demned
Spring scales.....	7, 552	6, 815	588	737
Computing scales.....	4, 586	4, 119	531	467
Counter scales.....	3, 599	3, 533	83	66
Counter platform scales.....	492	469	9	23
Platform scales.....	2, 159	2, 023	107	136
Dormant scales.....	180	156	12	24
Abattoir and beam scales.....	552	524	17	28
Wagon and truck scales.....	325	260	21	65
Prescription and jewelry scales and weights.....	7, 688	7, 550	38	138
Automatic measuring pumps.....	5, 952	5, 221	2	731
Capacity measures.....	77, 487	68, 009	-----	9, 478
Milk bottles.....	1, 772, 811	1, 772, 811	-----	-----
Avoirdupois weights.....	23, 628	23, 519	51	109
Linear measures.....	1, 708	1, 559	-----	149
Personal weighing scales.....	846	610	-----	236
Mechanical linear measures.....	704	686	-----	18
Total.....	1, 910, 269	1, 897, 864	1, 457	12, 405

INVESTIGATIONS AND PROSECUTIONS

Every complaint received was made the basis of a careful investigation, and such action was taken as the facts in each case warranted.

In addition to investigations made and the result of complaints received, inspectors, while engaged in their regular inspection duties, are required to be on the alert for the discovery of law violations and to make reports to the superintendent regarding same. Inspectors also have police authority granted them by an act of Congress, and make summary arrests when necessary. Special investigations are ordered in many instances when no complaint has been received, but where there is cause to believe that irregularities may exist.

Extensive surveys affecting certain lines of trade, such as bread, gasoline, coal, and so forth, are also made when possible. Such surveys are considered necessary in order to keep in touch with the situation regarding law observance.

Shoppers and buyers are sent out in various sections of the city to purchase commodities from merchants, and the quantity received in each instance is carefully verified in the office. This method of investigation is used for the purpose of determining precisely whether merchants are dealing fairly with the general public. A very large variety of business establishments, including department stores, all sorts of food-vending places, gasoline stations, and others are thoroughly "shopped" out in the manner indicated without knowledge on the part of the proprietors or employees. If no law violation is found, the fact that an establishment has been investigated is not disclosed to the owners. Slight irregularities can sometimes be corrected by positive warning and constructive advice, but wherever considered necessary, and the evidence, after thorough review, is considered sufficient, prosecutions are instituted and vigorously pushed in the courts. The office of the corporation counsel co-operated magnificently in conducting prosecutions.

It was necessary during the fiscal year to institute prosecutions in 106 cases, none of which resulted in acquittal.

Punishment inflicted is usually not extremely severe, but is generally sufficient to correct the abuse. In the cases in question, fines or forfeitures ranged from \$3 to \$100, the total being \$1,288.

The classes of business engaged in by those prosecuted covered quite a large scope, and included numerous offenses, such as sale of short weight poultry, ice, vegetables, coal, sugar, bread, exposing short-weight packages for sale, failure to mark quantity of contents on food packages, failure to weigh ice at time of delivery, operation of vehicles for delivery of coal without name and address of owner, inaccurate gasoline pumps, and other miscellaneous violations of law.

DIRECTIONS GIVEN MERCHANTS

The constructive policy of having inspectors devote much attention to furnishing information and directions to merchants regarding the provisions of the law applying to their respective lines of

business has continued to prove beneficial. The scope of this work will be enlarged during the coming year. It has not yet covered all lines of business as thoroughly as has been desired. The inspection force has not been sufficient. For the reason indicated, a somewhat modified form of "project system" has been invoked; that is, educational and informative work has been directed to dealers in certain important commodities of general use, such as ice, milk, meats, package goods, gasoline, etc.

PACKAGE FOODS

During the year 8,027 packages of food being offered or exposed for sale were reweighed. The wisdom of the law authorizing inspectors to reweigh packages of commodities put up in advance of sale continues to be demonstrated. Merchants have come to understand that their package goods may be inspected at any time, and for that reason they are much more careful than prior to the enactment of the present law to see that their packages contain full weight, and that a statement of quantity is marked on the outside thereof. The former practice of reducing the weight of package commodities slightly below the weight represented has, by reason of the activity of the department in this respect, been very largely eliminated, and consumers are now receiving, in most instances, the full quantity for which they pay.

ICE

The law provides that ice shall be weighed at the time of delivery. With hundreds of ice wagons in operation daily during warm weather, it is a practical impossibility to rigidly enforce this provision in every instance, but the department has been vigilant in pursuit of offenders, and the general situation appears to be reasonably good. Venders have been brought to understand that detection of violation of the ice law means certain prosecution.

COAL

Deliveries of coal have been reweighed from time to time, and general supervision of the business has been as effectively performed as possible. Much difficulty has been encountered, however, in obtaining strict compliance with the law relating to this commodity. It would be desirable to have at least one inspector who could devote his entire time to investigations relating to the sale of fuel.

The general system of coal distribution in the District of Columbia is costly and inefficient. It is in need of much revision for public benefit. Some plan of enabling the thousands of poor people to obtain fuel in small quantities at reasonable prices should be devised. If that is not done by private enterprise, it is believed that the municipal government would be fully justified in taking vigorous action to put an effective plan in operation. Hundreds of coal peddlers, who charge enormous prices when making sales in small quantities to the class of people least able to bear the weight of extortion, should be driven out of business. A situation whereby poor people are practically compelled to pay at the rate of \$25 to \$30 per ton for coal necessary to protect themselves and families against the rigors of

winter should not be tolerated in a city like this, whose population is made up in the main of the most enlightened and intelligent people in the world.

BREAD

There appears to be a general disposition among bakers to observe the provisions of the bread law. Very few serious violations have been found during the past year, but it is considered desirable to devote more attention to reweighing bread in the various bakeries. An addition to the inspection force will enable the department to do that during the coming year.

GASOLINE

The estimated consumption of gasoline for motor purposes in the District of Columbia is between fifty and sixty million gallons annually. Most of it is retailed in quantities of 5 gallons or multiples of 5 gallons. An average shortage of only 1 quart on each 5 gallons will result in an annual loss to consumers of more than \$400,000. Many types of so-called automatic measuring pumps are employed as instruments for measuring quantities of gasoline sold at retail. It is obviously desirable for this department to require accurate tests of these instruments and to exercise close supervision over the deliveries by means of test purchases and otherwise. Prior to this fiscal year it has been possible to assign only one inspector to the work of testing gasoline and oil pumps, but an additional inspector, provided in the District appropriation act for the fiscal year, has been assigned to that work. The result has been very beneficial. It has enabled the department to make 2,750 more tests of these instruments than during the prior fiscal year, the total this year being 5,952, against a total of 3,202 last year.

For the purpose of ascertaining whether or not owners and employees of gasoline establishments deal fairly with the public, test purchases are made from time to time by buyers for the department who are unknown to the owners or employees of the filling stations. Automobiles especially equipped for the purpose are used in order that quantities received may be accurately verified. Not many large shortages were received, but there appears to continue a considerable tendency to deliver small shortages, often due to carelessness of the operators of the pumps. Several prosecutions were necessary.

Within a period of one week five employees of one corporation operating several filling stations within the District were apprehended and convicted for selling short measure. At some of the filling stations in question shortages of almost a gallon were delivered on 5-gallon sales. Investigation of printed instructions delivered by the corporation to its employees disclosed that, while such instructions went into minute detail in regard to the duties of the employees to the corporation, not one word was contained therein with regard to fair treatment of the public. This corporation is domiciled, and all of its officers reside, outside of the District of Columbia. For that reason neither the corporation itself nor its officers could be reached under the law.

NEW TYPES OF INSTRUMENTS

New types of weighing and measuring instruments are almost constantly coming into use. Department stores have almost completely eliminated the old type of linear measures and substituted therefor intricate machines which measure the goods and calculate the price with one operation. Verifying the accuracy of these machines requires a technically trained inspector and consumes much time.

Meters for measuring gasoline sold to retail customers are beginning to displace pumps for that purpose. Those introduced into the District of Columbia so far have been found more susceptible of acute accuracy than pumps in general use.

Each new type is subjected to rigid examination as to construction before being approved. In some instances it has been found necessary to refuse approval of some types of weighing or measuring instruments because of faulty design or construction. In other instances manufacturers were required to make certain changes in construction before approval. After initial approval all instruments are examined and tested semiannually, as required by law, as nearly as possible.

Such procedure prevents improper instruments from gaining a foothold in the District, and likewise prevents those which may thereafter get out of order from being used to any large extent.

Owners of all business establishments have been given to understand that the law places upon them the responsibility of maintaining their weighing and measuring instruments in a first-class condition, and that this department proposes to see that the law is carried out.

COOPERATION WITH FEDERAL AND DISTRICT GOVERNMENTS

The department has cooperated with other departments of the District government and with the Federal Government in every possible respect.

It has prepared specifications for scales purchased by the public schools, the health department, and other agencies of the District government during the past year. This action has resulted in assurance that in buying scales the District government would secure those adapted to the purposes for which used and receive full value for the price paid.

There has also been constant cooperation with the Department of Agriculture looking to the detection of short-weight interstate shipments of package foods.

Similarly, the department has cooperated with the National Bureau of Standards in making investigations and surveys, within the District of Columbia, with a view to revising and extending in certain respects specifications and tolerances for weighing and measuring instruments throughout the country.

OVERTIME WORK BY EMPLOYEES

Employees have not been required to work overtime unless absolutely necessary. Nevertheless, much overtime work has been done. Inspectors have, when necessary, worked on Sundays, at night, and during other periods aside from regular hours. Market employees

have done likewise. All such duties have been performed readily and willingly, for which they are entitled to commendation.

ADDITIONS TO FORCE AND INCREASE OF SALARIES

An increase of one in the weights and measures inspection force was provided for in the appropriation act for the fiscal year beginning July 1, 1927, and for another in the act for the fiscal year beginning July 1, 1928. These increases, generously granted by Congress, have resulted in more efficient performance of the department's duties, and to the general public benefit.

The increases in salaries for various members of the force provided during the past year have done much to improve the morale and efficiency of the personnel, notwithstanding all injustices in that respect have not yet been removed.

EXPANSION OF WORK

Work of the department has been expanded in some respects during the past year, but further expansion of activities is desirable and will be put into operation during the coming year, so far as recent increase of inspection force makes possible. It is expected to give greater attention than heretofore to regulation of sizes of fruits and vegetable containers, weights of bread, weights of coal, coin-in-the-slot machines, constructive information to dealers and consumers, and installation of improved and more comprehensive system of recording statistical data in the office.

DISTRICT MARKETS

The District of Columbia owns the following markets:

1. Farmers' Produce Market, Tenth, Twelfth, B, and Little B Streets NW.
2. Fish Market, Eleventh and Water Streets SW.
3. Eastern Market, Seventh and C Streets SE.
4. Western Market, Twenty-first and K Streets NW.

The Farmers' Produce Market, heretofore occupying a reservation surrounded by B, Little B, Tenth, and Twelfth Streets NW., was torn down during the year in order that the ground might be occupied by a portion of the new Internal Revenue Building to be constructed by the Federal Government.

The operation of the Farmers' Market has, therefore, been disturbed and to a considerable extent disorganized, but the best possible, in the circumstances, has been done to take care of the situation.

Farmers who formerly brought produce in to the market have been permitted to sell on the curbs extending along B Street between Seventh and Fourteenth Streets NW. It will probably be impossible to continue even this makeshift arrangement after the Federal building program, involving much adjacent territory, gets thoroughly under way. Unless a new Farmers' Market is provided for by congressional legislation during the next session, it is believed that it will be necessary to entirely abandon operation of this market.

The Farmers' Produce Market is a municipal institution of tremendous benefit to the people of the District of Columbia and to farmers in the surrounding territory. It enables the former to

obtain fresh fruits, vegetables, poultry, eggs, and other produce directly from the vast farm and truck-growing area surrounding the District at prices appreciably lower than they would otherwise be compelled to pay. It also affords farmers a ready means of disposing of their produce directly to consumers, retail merchants, and other buyers without same passing through the hands of unnecessary middlemen. Thus it is that while consumers received produce at reduced prices farmers are able to obtain for their produce much more money for themselves than would be the case if they were compelled to sell through middlemen.

A nominal charge to each farmer of only 20 cents per day is made for a space wide enough for a vehicle and for display of his goods. Notwithstanding this small charge, the market has shown a considerable net profit over operating expense. The total receipts for the fiscal year were \$12,250.25. The total expense, including salaries of employees, lights, fuel, supplies, and repairs, was \$6,886.95, leaving a net profit of \$5,363.30.

The growth of this market during the past several years has been tremendous. It has been estimated that the total sales are now about \$3,000,000 per year. No farmer is charged for space except on the days that he actually sells produce on the market. The spaces occupied during each of the past 13 fiscal years is as follows:

1916.....	39,474
1917.....	43,803
1918.....	39,209
1919.....	47,910
1920.....	45,441
1921.....	51,035
1922.....	48,178
1923.....	55,675
1924.....	57,245
1925.....	58,734
1926.....	58,318
1927.....	60,923
1928.....	59,150

The Fish Market and wharves in connection therewith is devoted largely to wholesale and retail sales of sea foods, and a large volume of business is transacted in commodities falling within that classification. There is also unloaded at the wharves considerable quantities of miscellaneous freight, including canned goods, sugar, potatoes, watermelons, and other commodities. Aside from watermelons and potatoes, very little farm produce is unloaded at the wharves. River transportation is too slow for most perishable products.

It was necessary to make some extensive repairs to the Fish Market during the past year. A portion of the rear loading platform had to be practically rebuilt; much painting was necessary as well as other miscellaneous repairs.

Total revenues from the Fish Market and wharves were \$16,142.14. Total expense, including extensive repairs indicated, electricity, gas, supplies, and salaries, was \$9,038.02, leaving a net profit of \$7,104.12.

The Eastern and Western Markets are inclosed markets, each having inside stands rented to dealers in various commodities, and farmers' curb lines, where small truck growers sell at retail directly to consumers. The buildings are in a state of more or less disintegration and the equipment is antiquated. Means for handling foods have not kept pace with modern progress with respect to sanitation.

An appropriation of \$35,000 for remodeling Western Market was made by Congress at the last session and became available for use on July 1, 1928. The work of remodeling will be done as promptly as possible. The appropriation is insufficient to bring the market up to proper standard but will materially improve its present condition.

The Eastern Market is also in need of remodeling. Cold storage should be installed and new stands which will meet modern sanitation requirements should be constructed, provided this market is continued in operation. It is a reproach to the District of Columbia to operate markets which fail to measure up to a high standard.

The total revenues from Western Market were \$6,452.90. The total expense was \$4,368.97, leaving a net profit of \$2,083.93.

The total revenues from Eastern Market were \$6,228.87; the total expense was \$5,151.80, leaving a net profit of \$1,077.07. The expense indicated in each instance included salaries of employees, lights, fuel, repairs, supplies, etc.

In addition to the foregoing there was a revenue of \$375.90 from a small portion of the old Georgetown Market Building, with no expense. All except a small portion of that building is used by the District electrical department as a storeroom.

Therefore the total revenue from all the District markets was \$41,450.06, the total expense was \$25,445.74, and the net profit was \$16,004.32. This is considered a reasonable revenue in view of the fact that District markets are not intended to be operated for revenue purposes.

RECOMMENDATIONS

The following recommendations are respectfully submitted for such consideration as their importance may deserve:

1. Enactment of a statute which would require registration of names of owners of every business establishment within the District of Columbia, and providing reasonable and fair regulations governing admission to do business within the District of Columbia of corporations organized or domiciled elsewhere than in the District.
2. Enactment of a law providing for regulation of the quality of gasoline, fuel oils, and lubricating oils which may be sold within the District, and provide punishment for those guilty of misrepresentation.
3. Enactment of law regulating issuance of permits for operation of businesses within the District calculated to foster honorably conducted business, afford the public protection against fraud, and provide that issuance of such permits shall be based upon character and reputation rather than solely upon payment of a fee, such regulations to be under administrative control of the department of weights, measures, and markets.
4. Addition to present provision of weights and measures law relating to bread to provide for limiting the quantity of moisture which may be contained in bread sold within the District of Columbia and provide machinery for enforcement.
5. Passage of law authorizing purchase of suitable land for establishment of a new farmers' market, conveniently located, with adequate facilities for both wholesale and retail business by farmers, and large enough to provide for future growth.
6. Acquisition of large truck for use by department of weights, measures, and markets in testing heavy capacity scales used for weighing coal and other bulky commodities.
7. Repeal of all existing statutes relating to milk bottles except the provision on that subject contained in the weights and measures law and such amendments to that provision as may be desirable for the public welfare, thus bringing under administrative authority of one department all legal restrictions on this one subject.



